PTO/S8/81 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Tredemark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1885, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Docket Number (Optional)

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONES  UNAVOIDABLY UNDER 37 CFR 1.137(a)	60007252Z148
First Named Inventor: Ferran Vilanova Art Unit: 2853	
Application Number: 09/945,492 Examiner: n/a	
Filed: August 31, 2001	
Title: "CLOSED-LOOP COLOR CORRECTION USING FACTORY-MEASURED COLOR C	TOFFS ANCHORED TO
Attention: Office of Petitions  Mail Stop Petition  Commissioner for Patents P.O. Box 1450  Alexandria, VA 22313-1450	D BLACK-AND-WHITE"
NOTE: If information or assistance is needed in completing this form, pl Petitions Information at (703) 305-9382.	ease contact
The above-identified application became abandoned for failure to file a timely and prope the United Sates Patent and Trademark Office. The date of abandonment is the day after period set for reply in the Office notice or action plus any extensions of time actually obtained.	r the expiration date of the
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION OF THIS APPLICA	lity and plant applications filed
1. Petition fee	
Small entity – fee \$ (37 CFR 1.17(I)). Applicant claims st See 37 CFR 1.27.	nall entity status.
X Other than small entity – fee \$_110(37 CFR 1.17(I)).	
2. Reply and/or fee	
A. The reply and/or fee to the above-noted Office action in the form of executed declar'n & power + missing parts notice (identify the ty	pe of repty):
x has been filed previously on <u>December 4, 2001</u>	<u>.</u> .
is enclosed herewith.	
B. The issue fee of \$	
has been filed previously on	-
is enclosed herewith.	
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[Page 1 of 3] [Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any including gathering preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, cell 1-800-PTO-9199 and select option 2.

PTC/S8/81 (11-03)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Petent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

	Pi	ETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  UNAVOIDABLY UNDER 37 CFR 1.137(a)
3. Terminal d	discla	limer with disclaimer fee
ı	X	Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
I		A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).
for the rep	y ur	howing of the cause of the delay, and that the entire delay in filing the required reply from the due date till the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.
WAR be in	RNIN	G: Information on this form may become public. Credit card information should not led on this form. Provide credit card information and authorization on PTO-2038.
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79	15/6	77-8822 Peter Lippman
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		Reno NV 89506
		Address
Enclosure	x	Fee Payment
	x	Reply (copies of 6 previously filed reply pages, incl. original ackn. card)
		Terminal Disclaimer Form
		Additional sheets containing statements establishing unavoidable delay
	<u></u>	required copy of Notice of Abandonment
		CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))
	lexa Alexa	by that this correspondence is being: sited with the United States Postal Service on the date shown below with sufficient postage as first mall in an envelope addressed to Mall Stop Petition, Commissioner for Patents, P.O. Box 1450, andria, VA 22313-1450.
		mitted by facsimile on the date shown below to the United States Patent and Trademark Office at 872-9306.
[]	Ju	1y 29, 2004 market
-		Date
1		Peter Lippman
		Typed or printed name of person signing certificate

[Page 2 of 3]

22,835

Registration Number, if applicable

Date: 7/29/2004 Time: 12:42:36 PM

Typed or printed name

Approved for use through 07/31/2006. OMB 0651-0031 d Trademark Office; U.S. DEPARTMENT OF COMMERCE

PTO::SB/61 (11-03)
Approved for use through 07/31/2006. OMB 0651-0031
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U.S. Patent and Trademert Office; U.S. DEPARTMENT OF COMMERCE
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# PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

July 29, 2004

Date

Peter Lippman

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

There was no delay in filing. The reply was timely filed and evidently lost thereafter, through no fault of Applicants, assignee or their undersigned representative.

According to PAIR, the case went abandoned December 5, 2001, for lack of response to a notice of missing parts. Our paper records, copies attached, show that we filed the response on December 4, 2001 -- with necessary mailing certifications and an acknowledgment card -- and concurrently sent our client (Hewlett Packard company) a copy. Our card never came back.

At that time, less than two months after the World Trade Center and Pentagon attacks, and in the midst of the anthrax mail attacks, the PTO mail functions appeared to be in utter chaos. As the PTO was then just a very few blocks from the Pentagon, all mail was going to the patent office through a temporary alternate address, and being irradiated against fatal spores. The entire PTO staff must have been justifiably traumatized by these events.

Under those circumstances a very long delay in receiving our acknowledgment back was as normal as we could expect — as was even completely losing the card, which evidently happened. It would not have made sense to further overload the PTO mail with inquiries.

Eight months later in August 2002 we routinely ordered and obtained from the PTO — through our patent-office courier service — a certified copy of this case and forwarded it to our client. This procedure, a pleasant surprise at that time, appeared reassuringly normal — suggesting a return to normality of the case and the PTO.

On the other hand, as another indicium of the true disarray still involved in the PTO mail, it was not until ANOTHER 16 months later, in midDecember 2003, that the PTO declared our case abandoned — a full two years after the critical date had passed.

Please note, however, that the overall time from original filing until the present date is not significantly atypical for first office Actions in this difficult art.

Office Actions in this difficult art.

Reinstatement of the application and refund of the petition fee are therefore respectfully requested.

(Please attach additional sheets if additional space is needed.)

[Page 3 of 3]

From: Peter Lippman To: OIPE - Central USPTO fax #

RE: U. S. utility-patent application 09/945,492 filed August 31, 2001 of Ferran Vilanova et al. for: "CLOSED-LOOP COLOR CORRECTION ... our docket 600072522148

Please acknowledge receipt of:

- missing-parts notice PTO-1533
- executed declaration and power of attorney
- of 3 typed pages coverletter OK'ing charge to deposit account

mailed on or before 12/4/01 by first-class mail with Rule 8 mail certif\*n.



HEWLETT PACKARD COMPANY Intellectual Property Administration P. O. Box 272400 Fort Collins, Colorado 80528-9599

#### PATENT APPLICATION

ATTORNEY DOCKET NO. 60007252Z148

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Ferran Vilanova, Miquel Boleda, and James McCullough

09/945,492 Serial No.:

Examiner:

Filing Date: August 31, 2001

Group Art Unit: 2853

Title:

"CLOSED-LOOP COLOR CORRECTION USING FACTORY-MEASURED

COLOR CUTOFFS ANCHORED TO FIELD-MEASURED BLACK-AND-WHITE"

## THE COMMISSIONER OF PATENTS & TRADEMARKS Washington, D.C. 20231

# TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- Response/Amendment MISSING PARTS
- ( ) Petition to extend time to respond

New fee as calculated below 8

- ( ) Supplemental Declaration
- No additional fee (Address envelope to \*Box Non-Fee Amendments\*) ()
- Other executed dec. & pwr. missing parts notice & 2 ack cards (X

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to Deposit Account 08-2025. At any time during the pendency of this application, Charge \$ 130 please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

I hereby certify that this correspondence is being ted with the United States Postal Service as first clase mell in an envek Commissioner of Patoms Washington, D.C. 20231. envelope Trademarks, and

Date of Deposit: December 4, 2001

I. Lippman

Typed Name:

Peter

Rev 09/93 (Form 11.04)

Date: December 4, 2001

Telephone No.: 818/249-5961

Attorney/Agent for Applicant(s) Reg. No. 22,835

- Attach as First Page to Transmitted Papers -

	_	_		PAIENI AP	PLICATION	
DECLARATION AND I	POWER	OF ATTORNEY	ATTORNEY	DUCKET NO. <u>60007</u>	252 -1	
s a below named inver	ntor, I he	e and citizanship are	as stated below next	to my name;		
believe I am the origin nd joint inventor (if plu	nal, first rai name	and sole inventor (IT as are listed below) of	the subject matter w	hich is claimed an		
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hereby state that I had be noted in the chalms, as isclose all information	ave revie s amend which is	ewed and understood led by any amendmen i material to patentab	nt(s) referred to above litty as defined in 37 C	3. I acknowledge FR 1.56.	the duty to	
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hereby claim the benefit upolow:	nder Title	35, United States Code Se	ction 119(e) of any United	States provisional app	lication(s) listed	
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intellectual Property Ad P.O. Box 272400 Fort Collins, Colorado	80527-240	00	(818) 249-59	61		
I hereby declare that made on information with the knowledge imprisonment, or bot false statements may	that w	light are believed to bi illful false statement	s and the like so m	ade are punishable	le by fine or	
Full Name of Inventor: Fe			Citizenship: E			
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			nt Cugat del Valles Bar			
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DECLARATION AND F FOR PATENT APPLICA	POWER OF ATTORNEY ATION (continued)	ATTORI DOCKET NO. 60007252 -1
ull Name of # 2 joint invento	or: Miquel Boleda	Citizenship: ES
tesidence:	C/Campoamor, 11 08031	
ost Office Address:	Avda Graells 601 08190 S	Sant Cugat del Valles Barcelona Spain
nventor s Signatura		Date
in Mame of # 3 inint invent	or: James L McCullough	Citizenship: US
	41743 Evennold Street Sa	n Diego CA 92191 //
Residence:	Same as residence	1
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AVERTOR'S SIGNATURE		Date
Full Name of # 4 joint invent	tor:	Citizenship:
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Residence:		
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inventor's Signature		Date
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Page 1 of 1



United States Patent and Trademark Office

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COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER

FILING/RECEIPT DATE ID

PERST NAMED APPLICANT

60007252

09/945,492

08/31/2001

Ferran Vilanova

ATTORNEY DOCKET NUMBER

**CONFIRMATION NO. 3520** 

**FORMALITIES LETTER** 

HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80528-9599

US ACTION ; DUE DATE Paper Dated OA. Msg. Pt. Dwas Issue Fee Appeal\_ Other

Date Malled: 10/04/2001

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/4/0

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Lippinan Lippinan

Page 1 of 1



#### JNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATISS DEPARTMENT OF COMMERCE United Status Patent and Tradimark Offices Address COMMISSIONER FOR PATENTS P.O. DO: 1459 Alexandria, Veginia 2233-1450

APPLICATION NUMBER FILIND OR 371(C) DATH FIRST NAMED APPLICANT

09/945,492

ATTY, DOCKIST NO /TITLE

08/31/2001

Ferran Vilanova

600072522148

**HEWLETT-PACKARD COMPANY** Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80528-9599

**CONFIRMATION NO. 3520** ABANDONMENT/TERMINATION **LETTER** 1 CARADA MATORI (SAN ARADA CORE ARADA CORE ARADA CARA BARCA RECONSTRUCTOR POR LI CORE (SAN ARADA CARA CARA CARA OC000000011515979\*

Date Mailed: 12/17/2003

### NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-Identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/04/2001.

No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT APPLICATION

HEWLETT PACKARD COMPANY Intellectual Property Administration P. O. Box 272400 Fort Collins, Colorado 80528-9599

ATTORNEY DOCKET NO. 60007252Z148

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Ferran Vilanova, Miquel Boleda, and James McCullough

Serial No.:

09/945,492

Examiner: K. Lee (Customer Service Ctr.)

Filing Date:

August 31, 2001

Group Art Unit: Petitions Office

Title:

"CLOSED-LOOP COLOR CORRECTION USING FACTORY-MEASURED

COLOR CUTOFFS ANCHORED TO FIELD-MEASURED BLACK-AND-WHITE"

THE COMMISSIONER OF PATENTS & TRADEMARKS Washington, D.C. 20231

RECEIVED CENTRAL FAX CENTER

# TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

JUL 2 9 2004

Sir:

Transmitted herewith is/are the following in the above-identified application:

Response/Amendment(PETITION TO REVIVE) () Petition to extend time to respond

New fee as calculated below  $\infty$ 

( ) Supplemental Declaration

No additional fee (Address envelope to "Box Non-Fee Amendments") ()

Other: \_

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to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.19, 1.20 and 1.21.

I hereby certify that on the date shown below this correspondence is being:

(X) Transmitted by facsimile to the United States Patent & Trademark Office at 703/872-9306.

( ) deposited with the United States Postal Ser-vice with sufficient postage as first-class mail in an envelope addressed to --

Mail Stop Commissioner for Patents P. O. Box 1450 Alexandria VA 22313-1450.

Date of transmission or deposit: Jul. 29, 2004

Peter Lippman

Respectfully submitted,

Attorney/Agent for Applicant(s)

Reg. No. 22,835

Date: Jul. 29, 2004

Telephone No.: 775/677-8822

Rev 09/93 (Form 11.04)

- Attach as First Page to Transmitted Papers -

Please acknowledge by FAX to 775/677-8823. Thank you.